

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 9, 2011
SAN FRANCISCO, CALIFORNIA**

S025520**PEOPLE v. WALDON (BILLY
RAY)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Karen Hamilton's representation that she anticipates filing the appellant's opening brief by April 11, 2012, counsel's request for an extension of time in which to file that brief is granted to May 13, 2011. After that date, only six further extensions totaling about 330 additional days are contemplated.

S034800**PEOPLE v. DeHOYOS
(RICHARD LUCIO)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Gary D. Garcia's representation that he anticipates filing the appellant's reply brief by July 6, 2011, counsel's request for an extension of time in which to file that brief is granted to May 9, 2011. After that date, only one further extension totaling about 60 additional days is contemplated.

S049626**PEOPLE v. HAJEK
(STEPHEN EDWARD) & VO
(LOI TAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Alison Pease's representation that she anticipates filing appellant Stephen Edward Hajek's reply brief by August 1, 2011, counsel's request for an extension of time in which to file that brief is granted to May 9, 2011. After that date, only two further extensions totaling about 90 additional days are contemplated.

S058734**PEOPLE v. HOLMES (KARL
DARNELL), McCLAIN
(HERBERT CHARLES), &
NEWBORN (LORENZO)**

Extension of time granted

Good cause appearing, and based upon counsel Debra S. Sabah Press's representation that she anticipates filing appellant Herbert McClain's reply brief by June 30, 2011, counsel's request for

an extension of time in which to file that brief is granted to May 10, 2011. After that date, only one further extension totaling about 50 additional days is contemplated.

S077524

**PEOPLE v. SALAZAR
(MAGDALENO)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Ellen Eggers's representation that she anticipates filing the appellant's opening brief by May 16, 2011, counsel's request for an extension of time in which to file that brief is granted to May 16, 2011. After that date, no further extension is contemplated.

S099274

**PEOPLE v. BROOKS
(DONALD LEWIS)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Allison H. Chung's representation that she anticipates filing the respondent's brief by May 29, 2011, counsel's request for an extension of time in which to file that brief is granted to May 13, 2011. After that date, only one further extension totaling about 14 additional days is contemplated.

S104144

**PEOPLE v. PEREZ, JR.,
(JOSEPH ANDREW)**

Extension of time granted

Good cause appearing, and based upon counsel A. Richard Ellis's representation that he anticipates filing the appellant's opening brief by October 2011, counsel's request for an extension of time in which to file that brief is granted to May 9, 2011. After that date, only three further extensions totaling about 150 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S107900

**PEOPLE v. WRIGHT, JR.,
(WILLIAM LEE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Alison Bernstein's representation that she anticipates filing the appellant's opening brief by February 2012, counsel's request for an extension of time in which to file that brief is granted to May 6, 2011. After that date, only five further extensions totaling about 270 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S111336**BENAVIDES FIGUEROA
(VICENTE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Cristina Bordé's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by August 5, 2011, counsel's request for an extension of time in which to file that document is granted to May 9, 2011. After that date, only two further extensions totaling about 90 additional days are contemplated.

S137290**PEOPLE v. GOVIN (PRAVIN)**

Extension of time granted

Good cause appearing, and based upon counsel Conrad Petermann's representation that he anticipates filing the appellant's opening brief by November 7, 2011, counsel's request for an extension of time in which to file that brief is granted to May 9, 2011. After that date, only three further extensions totaling about 180 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S137730**PEOPLE v. POWELL (TROY
LINCOLN)**

Extension of time granted

Good cause appearing, and based upon counsel R. Clayton Seaman, Jr.'s representation that he anticipates filing the appellant's opening brief by July 7, 2011, counsel's request for an extension of time in which to file that brief is granted to May 9, 2011. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S142694**WARD (CARMEN LEE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Jeannie R. Sternberg's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 15, 2011, counsel's request for an extension of time in which to file that document is granted to April 15, 2011. After that date, no further extension will be granted.

S143743**PEOPLE v. MENDOZA
(HUBER JOEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 9, 2011.

S147702

**LEDESMA (FERMIN
RODRIGUEZ) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Moona Nandi's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by December 9, 2011, counsel's request for an extension of time in which to file that document is granted to May 16, 2011. After that date, only four further extensions totaling about 210 additional days are contemplated.

S160814

**VIRGIL (LESTER WAYNE)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Manuel J. Baglanis's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by the end of July 2011, counsel's request for an extension of time in which to file that document is granted to May 3, 2011. After that date, only two further extensions totaling about 90 additional days are contemplated.

S161036

**KELLY (DOUGLAS OLIVER)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Stephanie C. Brennan's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by June 6, 2011, counsel's request for an extension of time in which to file that document is granted to May 9, 2011. After that date, only one further extension totaling about 30 additional days is contemplated.

S062259

**PEOPLE v. SCULLY
(ROBERT WALTER)**

Order filed

Due to clerical error, the order filed in the above matter on March 2, 2011, is amended to read as follows:

Good cause appearing, and based upon Supervising Deputy State Public Defender Margot Garey's representation that she anticipates filing the appellant's opening brief by September 30, 2011, counsel's request for an extension of time in which to file that brief is granted to April 29, 2011. After that date, only 3 further extension totaling about 150 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S191182**ROBINSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GLENN ROGER ROBINSON, State Bar Number 56042, as a member of the State Bar of California is accepted.

GLENN ROGER ROBINSON must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191183**RESELLA ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ESMERALDA RESELLA, State Bar Number 124898, as a member of the State Bar of California is accepted.

ESMERALDA RESELLA must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191184**POTTER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JANICE ANN POTTER, State Bar Number 73448, as a member of the State Bar of California is accepted.

JANICE ANN POTTER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191185**MYERS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PHILIP JENSS MYERS, State Bar Number 120923, as a member of the State Bar of California is accepted.

PHILIP JENSS MYERS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191187**McKEAG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JANE DICKSON McKEAG, State Bar Number 88615, as a member of the State Bar of California is accepted.

JANE DICKSON McKEAG must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191189**MARTIN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUSAN JANE MARTIN, State Bar Number 58766, as a member of the State Bar of California is accepted.

SUSAN JANE MARTIN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191192**LUCK ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of REBECCA JENNATHAN LUCK, State Bar Number 135511, as a member of the State Bar of California is accepted.

REBECCA JENNATHAN LUCK must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191193**LEE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD FRANKLIN LEE, State Bar Number 77142, as a member of the State Bar of California is accepted.

RICHARD FRANKLIN LEE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191194**KEENAN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHAEL KEENAN, State Bar Number 76975, as a member of the State Bar of California is accepted.

MICHAEL KEENAN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S191195**JOHNSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVID CARL JOHNSON, State Bar Number 42279, as a member of the State Bar of California is accepted.

DAVID CARL JOHNSON must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

B220019

Second Appellate District, Div. 8

**LESINSKY (DENNIS) v.
UNITED PARCEL SERVICE
ET AL.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Eight to Division Seven.

B220420

Second Appellate District, Div. 7

**HEYMANN-ROEWEKAMP
(ROSEMARIE) v. CITY
NATIONAL BANK ET AL.**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Eight.

Fourth Appellate District, Div. 2

TRANSFER ORDERS

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division Three:

- | | | |
|----|---------------------|--|
| 1. | E049952 | People v. Michael Anthony Mixon et al. |
| | Consolidated cases: | |
| 2. | E050078 | People v. Michael Anthony Mixon et al. |
| 3. | E050903 | People v. Michael Mixon |
| 4. | E050022 | People v. Luis Angel Moreno |
| 5. | E050243 | People v. Ruben Castellanoz |

1016762-11

The HONORABLE VICTORIA GERRARD CHANEY, Associate Justice of the Court of Appeal, Second Appellate District, Division One, is hereby assigned to assist the Supreme Court, as a justice thereof, on March 9, 2011, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 9, 2011
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Wednesday, March 9, 2011, at 9:00 a.m.

Present: Chief Justice Tani Cantil-Sakauye, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, and Corrigan.

NOTE: In light of the current vacancy on the California Supreme Court, a different justice of the Court of Appeal has been assigned to participate in each case scheduled for argument, pursuant to the court's established alphabetical rotation procedure.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

The Honorable Kathleen M. Banke, Associate Justice, Court of Appeal, First Appellate District, Division One, sitting on the following case, under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

(Consolidated Cases)

S177654 In re V.V., a Person Coming Under the Juvenile Court Law.

The People, Plaintiff and Respondent,
v.
V.V., Defendant and Appellant.

S179579 In re J.H., a Person Coming Under the Juvenile Court Law.

The People, Plaintiff and Respondent,
v.
J.H., Defendant and Appellant.

Cause called. Laini Millar Melnick, Court-appointed Counsel, argued for Appellant V.V.
Nancy Tetreault, Court-appointed Counsel, argued for Appellant J.H.
Robert M. Snider, Office of the Attorney General, argued for Respondent.

Ms. Melnick replied.
Cause submitted.

Justice Kathleen M. Banke, not participating in the following case, will not join the bench.

The Honorable Judith Meisels Ashmann-Gerst, Associate Justice, Court of Appeal, Second Appellate District, Division Two, sitting on the following case, under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S065720 The People, Respondent,
 v.
 Sean Venyette Vines, Appellant.

Cause called. Gilbert Gaynor, Court-appointed Counsel, argued for Appellant.
Michael Dolida, Office of the Attorney General, argued for Respondent.

Mr. Gaynor replied.
Cause submitted.

Court adjourned.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
APRIL 5 and 6, 2011**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, Third Floor, North Tower, Los Angeles, California on April 5 and 6, 2011.

TUESDAY, APRIL 5, 2011 — 2:00 P.M.

- (1) S176943 Franchise Tax Board v. Superior Court of San Francisco County (Gonzalez, etc., Real Party in Interest) (Yegan, J., assigned justice pro tempore)
- (2) S176923 People v. Tran (Quang Minh)
(Blease, J., assigned justice pro tempore)
- (3) S085348 People v. Castaneda (Gabriel) [Automatic Appeal]

WEDNESDAY, APRIL 6, 2011 — 9:00 A.M.

- (4) S181781 Oasis West Realty, LLC v. Goldman et al.
(Todd, J., assigned justice pro tempore)
- (5) S181627 Diaz v. Carcamo et al.
(Aldrich, J., assigned justice pro tempore)
- (6) S170577 Sullivan et al. v. Oracle Corporation et al.
(Boren, APJ., assigned justice pro tempore)

CANTIL-SAKAUYE
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

NOTE: In light of the current vacancy on the California Supreme Court, a different justice of the Court of Appeal has been or will be assigned to participate in each case scheduled for argument, pursuant to the court's established alphabetical rotation procedure. (A revised calendar will be issued as soon as possible after the additional justices pro tempore are assigned.)

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
APRIL 5 and 6, 2011**

FIRST AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, Third Floor, North Tower, Los Angeles, California on April 5 and 6, 2011.

TUESDAY, APRIL 5, 2011 — 2:00 P.M.

- (1) S176943 Franchise Tax Board v. Superior Court of San Francisco County (Gonzalez, etc., Real Party in Interest) (*Yegan, J., assigned justice pro tempore*)
- (2) S176923 People v. Tran (Quang Minh)
(*Blease, J., assigned justice pro tempore*)
- (3) S085348 People v. Castaneda (Gabriel) [Automatic Appeal]
(*Chaney, J., assigned justice pro tempore*)

WEDNESDAY, APRIL 6, 2011 — 9:00 A.M.

- (4) S181781 Oasis West Realty, LLC v. Goldman et al.
(Todd, J., assigned justice pro tempore)
- (5) S181627 Diaz v. Carcamo et al.
(Aldrich, J., assigned justice pro tempore)
- (6) S170577 Sullivan et al. v. Oracle Corporation et al.
(Boren, APJ., assigned justice pro tempore)

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

Note: In light of the current vacancy on the California Supreme Court, a different justice of the Court of Appeal has been assigned to participate in each case scheduled for argument, pursuant to the court's established alphabetical rotation procedure.

